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11 Limited

12 **UNITED STATES DISTRICT COURT**  
13 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

14 ANCHOR HOLDINGS LIMITED, an  
15 English Limited Company,

16 Plaintiff,

17 v.

18 UPPER EAST SIDE SUITES LLC, a  
19 Delaware Limited Liability Company,  
20 BENEDETTO CICO, an individual, and  
21 CARLA CICO, an individual.

22 Defendants.

23 **CASE NO. 2:15-cv-05447-MMM-  
24 FFM**

25 **REQUEST FOR CONTINUANCE  
26 OF DEADLINE TO MOVE FOR  
27 DEFAULT JUDGMENT**

28 *[Proposed Order filed  
concurrently herewith]*

29 Plaintiff Anchor Holdings Limited (“Plaintiff” or “Anchor”), by and through  
30 its attorneys Kelley Drye & Warren LLP, hereby requests that the Court continue  
31 the current deadline to file a motion for default judgment against Defendants Upper  
32 East Side Suites LLC (“Upper East Side”) and Benedetto Cico from October 26,  
33 2015 to November 25, 2015. This requested extension is to accommodate the  
34 contemplated addition of new plaintiffs to this action and the assertion of additional  
35 allegations against Upper East Side and Benedetto Cico in an Amended Complaint.

36 On September 28, 2015, Anchor requested that the Clerk of this Court enter

1 default against Upper East Side and Benedetto Cico pursuant to Federal Rule of  
2 Civil Procedure 55(a) as a result of their failure to respond to the Complaint in a  
3 timely manner. *See* Dkt. No. 19. The Clerk entered the requested default on  
4 September 29, 2015. *See* Dkt. No. 20. On September 30, 2015, this Court ordered  
5 that Anchor file a motion for default judgment against Upper East Side and  
6 Benedetto Cico on or before October 26, 2015. *See* Dkt. No. 22.

7 Anchor hereby requests an extension of the October 26, 2015 deadline to file  
8 a motion for default judgment to November 25, 2015. Following entry of default  
9 against Upper East Side and Benedetto Cico, several non-party minority  
10 shareholders of Upper East Side provided additional facts relevant to Anchor's  
11 claims and not previously known to Anchor, and expressed their intention to join the  
12 present action against all Defendants. In light of the discovery of new facts  
13 regarding the claims asserted in the Complaint, and the desire by additional minority  
14 shareholders to join in the action against all Defendants, Anchor seeks to amend the  
15 current Complaint and therefore requests relief from the present October 26, 2015  
16 deadline to move for default judgment against Defendants Upper East Side and  
17 Benedetto Cico.

18 The requested extended deadline of November 25, 2015 will allow for joint  
19 representation agreements to be finalized, and for the drafting of an Amended  
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1 Complaint against all Defendants. A proposed order is submitted herewith for the  
2 Court's consideration.

3 We thank the Court for its attention to this matter.

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5 Respectfully submitted:

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8 DATED: October 27, 2015

KELLEY DRYE & WARREN LLP

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Richard F. DeLossa (STATE BAR NO. 245181)  
James B. Saylor (admitted *pro hac vice*)

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By /s/ Richard Delossa

Richard Delossa

Attorney for Anchor Holdings, Ltd.

## **Certificate of Service**

I hereby certify that on this 27<sup>th</sup> date of October 2015, the foregoing document and accompanying proposed order was electronically filed and served via U.S. mail and electronic mail on the following:

Upper East Side Suites LLC  
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John

Wanda Taylor